



Sen. Pamela J. Althoff

Filed: 4/1/2016

09900SB2289sam002

LRB099 18362 AWJ 46958 a

1 AMENDMENT TO SENATE BILL 2289

2 AMENDMENT NO. _____. Amend Senate Bill 2289 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by adding
5 Section 18-51 as follows:

6 (35 ILCS 200/18-51 new)

7 Sec. 18-51. Property tax of consolidated townships.
8 Notwithstanding any other law to the contrary, when townships
9 are consolidated under Sections 20-5, 27-10, or 28-10 of the
10 Township Code then, for the levy year after the townships are
11 consolidated, in lieu of any budget and appropriation ordinance
12 previously adopted by any of the former townships or
13 municipalities, the county clerk shall extend a rate of tax as
14 provided in those Sections of the Township Code.

15 Section 10. The Township Code is amended by changing

1 Sections 10-7, 10-25, 20-7, 27-13, and 28-13 as follows:

2 (60 ILCS 1/10-7 new)

3 Sec. 10-7. Cost and services study. Prior to certifying and
4 causing a proposition to be submitted to the voters under
5 Section 10-5, the county board and township board shall conduct
6 or have conducted a cost and services study detailing the
7 fiscal and services impact the altering of township boundaries
8 would have on the taxpayers of the county and township. Any
9 such cost and services study shall be completed on or before 45
10 days after adoption of an ordinance or resolution for a
11 referendum has been adopted under Section 10-5. After receipt
12 of the cost and services study by the county board, and no
13 later than 60 days after adoption of an ordinance or resolution
14 for a referendum has been adopted under Section 10-5, the
15 county board shall certify and cause the referendum to be
16 submitted to the voters of the county to alter township
17 boundaries as provided in Section 10-5.

18 (60 ILCS 1/10-25)

19 Sec. 10-25. Plan for changes in townships.

20 (a) The county board of each county may, subject to a
21 referendum in the townships affected as provided in this
22 Section, adopt a plan for altering the boundaries of townships,
23 changing township lines, dividing, enlarging, or consolidating
24 townships, or creating new townships, ~~so that each township~~

1 ~~shall possess an equalized assessed valuation of not less than~~
2 ~~\$10,000,000 as of the 1982 assessment year or an area of not~~
3 ~~more than 126 square miles.~~

4 (b) No alteration or change in boundaries shall be
5 effective unless approved by a referendum in each township
6 affected. The election authority shall submit to the voters of
7 each township affected, at a regular election to be held not
8 less than 60 days after the plan is adopted, the question of
9 approving the alteration or change. The alterations or changes,
10 if approved by the voters, shall take effect on the date of the
11 next township election and shall be applicable to that
12 election. If there is doubt as to the township clerk with whom
13 nomination papers for that election should be filed, the county
14 board shall designate the clerk. In the alteration of
15 boundaries, a county board may not disturb urban or coterminous
16 townships in existence on October 1, 1978.

17 (Source: P.A. 84-1308; 88-62.)

18 (60 ILCS 1/20-7 new)

19 Sec. 20-7. Cost and services study. Prior to certifying and
20 causing a proposition to be submitted to the voters under
21 Section 20-5, the township boards of the townships being
22 consolidated may, by resolution, conduct or have conducted a
23 cost and services study detailing the fiscal and township
24 services impact the consolidation of the townships would have
25 on the taxpayers of the county and townships. Any such cost and

1 services study shall be completed on or before 45 days after
2 adoption receipt of a petition under Section 20-5. After
3 receipt of the cost and services study by the county board or a
4 township board, and no later than 60 days after receipt of a
5 petition under Section 20-5, the township boards shall certify
6 and cause the proposition to be submitted to the voters of the
7 townships to consolidate the townships as provided in Section
8 20-5.

9 (60 ILCS 1/20-10)

10 Sec. 20-10. Election results.

11 (a) The county clerk shall enter an abstract of the returns
12 of the election held under Section 20-5, made out and certified
13 as in an election for county officers, and shall record the
14 abstract at length upon the records of the county.

15 (b) If a majority of the votes are in favor of
16 consolidating all of the townships and fractional parts of
17 townships in the city into one organized township, then at the
18 next regular election for township officers there shall be
19 elected one set of township officers for the territory in the
20 city.

21 (c) If a majority of the votes are in favor of
22 consolidating all of the townships and fractional parts of
23 townships in the city into one organized township, a Transition
24 Township Board may be formed if required by resolution of the
25 county board. If so resolved by the county board, the

1 Transition Township Board is composed of the members of the
2 separate townships boards being consolidated. The Transition
3 Township Board shall only have the authority to propose a
4 tentative budget and appropriation ordinance for the
5 consolidated township for the first levy year of the
6 consolidated township. The Transition Township Board shall
7 hold a public hearing no later than the last Tuesday in
8 December before the township officers are to be elected under
9 subsection (b). At this public hearing, the Transition Township
10 Board may propose a tentative budget and appropriation
11 ordinance, as provided in Section 80-60, for the first levy
12 year of the consolidated township. Within 7 days after the
13 adoption of a tentative budget and appropriation ordinance
14 under this subsection, the Transition Township Board shall
15 notify the county clerk of the ordinance. If the Transition
16 Township Board board fails to adopt a budget and appropriation
17 ordinance by the last Tuesday in December before the township
18 officers are to be elected under subsection (b), then the
19 property tax of the consolidated townships continue as provided
20 by law.

21 (Source: P.A. 81-1490; 88-62.)

22 (60 ILCS 1/27-10)

23 Sec. 27-10. Petition and referendum to discontinue and
24 abolish a township organization within a coterminous
25 municipality. Upon adoption of an ordinance by the city council

1 of a township described under Section 27-5 of this Article, or
2 upon petition of at least 10% of the registered voters of that
3 township, the city council shall certify and cause to be
4 submitted to the voters of the township, at the next election
5 or consolidated election, a proposition to discontinue and
6 abolish the township organization and to transfer all the
7 rights, powers, duties, assets, property, liabilities,
8 obligations, and responsibilities of the township organization
9 to the coterminous municipality.

10 A signature on a petition shall not be valid or counted in
11 considering the petition unless the form requirements are
12 complied with and the date of each signature is less than 90
13 days before the last day for filing the petition. The statement
14 of the person who circulates the petition must include an
15 attestation (i) indicating the dates on which that sheet was
16 circulated, (ii) indicating the first and last date on which
17 that sheet was circulated, or (iii) certifying that none of the
18 signatures on the sheet was signed more than 90 days before the
19 last day for filing the petition. The petition shall be treated
20 and the proposition certified in the manner provided by the
21 general election law. After the proposition has once been
22 submitted to the electorate, the proposition shall not be
23 resubmitted for 4 years.

24 The proposition shall be in substantially the following
25 form:

26 Shall the township organization be continued in [Name

1 of Township] Township?

2 The votes shall be recorded as "Yes" or "No".

3 If a majority of the votes are in favor of abolishing a
4 township organization under this Section, the county board may,
5 by resolution, require the corporate authorities of the
6 conterminous to meet to propose a tentative budget and
7 appropriation ordinance for the discontinued township and
8 coterminous municipality for the first levy year of the
9 consolidated township and coterminous municipality. The
10 corporate authorities shall hold a public hearing no later than
11 the last Tuesday in December next following the effective date
12 of the discontinuance and abolishment of the township
13 organization. At this public hearing, the authorities may
14 propose a tentative budget and appropriation ordinance, as
15 provided in Section 80-60, for the first levy year of the
16 consolidated township. Within 7 days after the adoption of a
17 tentative budget and appropriation ordinance under this
18 subsection, the board shall notify the county clerk of the
19 ordinance. If the Transition Township Board board fails to
20 adopt a budget and appropriation ordinance by the last Tuesday
21 in December next following the effective date of the
22 discontinuance and abolishment of the township organization,
23 then then the property tax of consolidated township and
24 municipality continues as provided by law.

25 (Source: P.A. 98-127, eff. 8-2-13; 98-756, eff. 7-16-14.)

1 (60 ILCS 1/27-13 new)

2 Sec. 27-13. Cost and services study. Prior to certifying
3 and causing a proposition to be submitted to the voters under
4 Section 27-10, the city council of the coterminous municipality
5 that governs the township shall conduct or have conducted a
6 cost and services study, paid for by the township and
7 municipality, detailing the fiscal and services impact the
8 discontinuance of the township would have on the taxpayers of
9 the township and municipality. Any such cost and services study
10 shall be completed on or before 45 days after adoption of an
11 ordinance, or receipt of a petition, under Section 27-10. After
12 receipt of the cost and services study by the city council, and
13 no later than 60 days after adoption of an ordinance, or
14 receipt of a petition, under Section 27-10, the city council
15 shall certify and cause the proposition to be submitted to the
16 voters of the township to discontinue and abolish the township
17 organization as provided in Section 27-10.

18 (60 ILCS 1/28-10)

19 Sec. 28-10. Ordinance to discontinue and abolish a township
20 organization within a coterminous municipality; cessation of
21 township organization; property tax levy.

22 (a) The township board of a township described under
23 Section 28-5 of this Article may adopt an ordinance, with a
24 majority of the votes of the township board, providing that,
25 upon the approval of a coterminous, or substantially

1 coterminous, municipality's corporate authorities, (1) that
2 the township organization shall discontinue and be abolished;
3 and (2) that the township shall transfer all the rights,
4 powers, duties, assets, property, liabilities, obligations,
5 and responsibilities of the township organization to the
6 coterminous, or substantially coterminous, municipality. The
7 corporate authorities of the coterminous, or substantially
8 coterminous, municipality shall adopt an ordinance by a
9 majority vote approving such transfer to the municipality.

10 (b) On the later date of either the (i) approval of an
11 ordinance by a municipality under subsection (a) of this
12 Section, or (ii) expiration of the township officers' terms
13 after passing an ordinance under subsection (a) of this
14 Section, the township is discontinued and abolished and all the
15 rights, powers, duties, assets, property, liabilities,
16 obligations, and responsibilities of the township shall by
17 operation of law vest in and be assumed by the municipality,
18 including the authority to levy property taxes for township
19 purposes in the same manner as the dissolved township.

20 (c) If a majority of the votes are in favor of abolishing a
21 township organization under this Section, the county board may,
22 by resolution, require the corporate authorities of the
23 conterminous to meet to propose a tentative budget and
24 appropriation ordinance for the discontinued township and
25 coterminous municipality for the first levy year of the
26 consolidated township and coterminous municipality. The

1 corporate authorities shall hold a public hearing no later than
2 the last Tuesday in December next following the effective date
3 of the discontinuance and abolishment of the township
4 organization. At this public hearing, the authorities may
5 propose a tentative budget and appropriation ordinance, as
6 provided in Section 80-60, for the first levy year of the
7 consolidated township. Within 7 days after the adoption of a
8 tentative budget and appropriation ordinance under this
9 subsection, the board shall notify the county clerk of the
10 ordinance. If the Transition Township Board board fails to
11 adopt a budget and appropriation ordinance by the last Tuesday
12 in December next following the effective date of the
13 discontinuance and abolishment of the township organization,
14 then then the property tax of consolidated township and
15 municipality continues as provided by law.

16 (Source: P.A. 99-474, eff. 8-27-15.)

17 (60 ILCS 1/28-13 new)

18 Sec. 28-13. Cost and services study. Prior to or after the
19 adoption of an ordinance under Section 28-10, the township
20 board and the corporate authorities of the coterminous
21 municipality shall conduct or have conducted a cost and
22 services study detailing the fiscal and township services
23 impact the discontinuance of the township organization would
24 have on the taxpayers of the township. Any such cost and
25 services study shall be completed no later than 45 days after

1 adoption of an ordinance under Section 28-10. After receipt of
2 the cost and services study by the township board, and after
3 adoption of an ordinance under Section 28-10, the township
4 organization may cease as provided under this Article."